RECEIVED
CENTRAL FAX CENTER

JAN 1 4 2005

Law Office of Mark J. Spolyar

Counselor and Attorney in Intellectual Property and Technology Law Matters

38 Fountain St. San Francisco, CA 94114 mark@spolyar-iplaw.com 415.826.7966 (v) 415.480.1780 (f)

FACSIMILE TRANSMISSION

Date:

January 14, 2005

To:

United States Patent & Trademark Office

Fax:

703-872-9306

From:

Mark Spolyar

Number of Pages (including cover sheet): 17

RE:

Transmission of Response to Office Action U.S. Serial No. 09/896,887 filed June 28, 2001

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR 1.8

Facsimile Number: 703-872-9306 Date: January 14, 2005

I hereby certify that this correspondence, and the papers referred to herein, are being facsimile transmitted to the United States Patent and Trademark Office on the date indicated above.

Mark J. Spolyar Reg. No. 42164

Papers Included Herewith:

- Fax Cover Sheet (I page);
- 2. Amendment (14 pages); and
- 3. Copy of Declaration (2 pages).

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED CENTRAL FAX CENTER

JAN 1 4 2005

Appl. No.:

09/896,887 Krautkremer

Applicant: Filed:

June 28, 2001

Title:

Methods, Apparatuses and Systems Enabling a Network Services Provider to Deliver Application Performance Management Services

Docket No.:

6533/53628

Customer No.:

30505

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT A

Sir:

In response to the Office Action mailed October 15, 2004, please amend the application as follows.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 10 of this paper.